

Harrington Park  
PLANNING BOARD  
**REGULAR MEETING MINUTES**  
Tuesday, June 8, 2021 @ 8:00PM

**Chairman Capazzi called the meeting to order at 8:00pm.**

**Open Public Meeting Act Announcement:** In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting the same.

Pursuant to Governor Murphy's Executive Orders #107 and 108 ordering Statewide lockdowns, and P.L. 2020, c. 34 permitting public bodies to conduct meetings via electronic means during declared states of emergency, the Regular meeting of the Borough of Harrington Park Planning Board scheduled for **June 8, 2021** at 8:00 p.m. will be conducted remotely from the electronic meeting platform Zoom.us. Members of the public can join the meeting and participate during the public comment period by joining the meeting using the Zoom mobile application on a smartphone or tablet, joining the meeting by laptop with microphone capabilities, or dialing in using a telephone to the Zoom teleconference system.

Members of the public are advised that the video and audio of the meeting will be recorded and will be a public record subject to disclosure pursuant to the Open Public Meetings Act. The Borough reserves the right to post the recording of the meeting to its website.

At 7:45pm CL verified that the dialing in option worked.

**ROLL CALL**

Roll Call	PRESENT	ABSENT
(JC) Chairman John CAPAZZI	X	
(PH) Mayor Paul HOELSCHER		X
(AN) Councilman Allan NAPOLITANO		X
(PA) Vice-Chair Peter ARDITO	X	
(RM) Secretary Richard McLAUGHLIN	X	
(JB) Member Jesse BARRAGATO		X
(RW) Member Robert WALDRON	X	
(SB) Alt. (a) Steve BEUBIS	X	

Also present:

(JK) Jennifer Knarich, Price, Meese, Shulman & D'Arminio

(CL) Carolyn Lee, Recording Secretary

**MINUTES FOR APPROVAL**

1. May 11, 2021 minutes

JC asked if the board would like a discussion. There was no discussion.

Vote to approve May 11, 2021 minutes.	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Chairman John CAPAZZI			X			
Vice-Chair Peter ARDITO	X		X			

Mayor Paul HOELSCHER						X
Councilman Allan NAPOLITANO						X
Secretary Richard McLAUGHLIN		X	X			
Member Jesse BARRAGATO						X
Member Robert WALDRON			X			
Alt. (a) Steven BEUBIS			X			

### **INVOICES FOR APPROVAL**

General (April. 2021)	Price Meese Shulman & D'Armino, P.C.	\$ 420.00
41 Peat (April 2021)	Price Meese Shulman & D'Armino, P.C.	\$ 180.00
Allegro Development (Escrow April 2021)	Price Meese Shulman & D'Armino, P.C.	\$ 1,155.00
General (November 2020)	Neglia Engineering	\$ 1,100.00
General (December 2020)	Neglia Engineering	\$ 1,100.00
General (February. 2021)	Neglia Engineering	\$ 1,100.00
General (March 2021)	Neglia Engineering	\$ 1,100.00
41 Peat (Escrow June 28 - August 1, 2020)	Neglia Engineering	\$ 87.50
Professional Services (April 2021)	Phillip Preiss Grygiel, Leheny, Hughes LLC	\$ 105.00
<b>TOTAL</b>		<b>\$ 6,347.50</b>

JC asked the board if there was any discussion. There was no discussion.

<b>Vote to approve invoices listed on the agenda.</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chairman John CAPAZZI			X			
Vice-Chair Peter ARDITO		X	X			
Mayor Paul HOELSCHER						X
Councilman Allan NAPOLITANO						X
Secretary Richard McLAUGHLIN	X		X			
Member Jesse BARRAGATO						X
Member Robert WALDRON			X			
Alt. (a) Steven BEUBIS			X			

### **RESOLUTIONS**

1. 41 Peat Street - Sykes Subdivision

Open the meeting for public comment.

Motion: PA Second: RM

In favor, all said "aye". None opposed.

Jonathan Jones, 32 Deal Street, Harrington Park, NJ, was sworn in. Mr. Jones stated that he moved to this town for a certain style of individuals and is glad that the Sykes are leaving. It is disappointing that this has occurred. He would like the board to find ways to prevent this from happening in this town going forward. The street is based on a certain number of houses. Mr. Jones does not know if the fire hydrant is "spec'ed" for the street. If the fire hydrant is blocked, it is putting lives at risk. He experienced this with the developers across the street and concerned that the fire hydrant will be blocked and cause a fire hazard. Mr. Jones expects to call the police on a daily basis during construction. He is concerned about runoff into his backyard. He would like a resolution from the police and town from stopping the developer from ruining his life for a year. The runoff goes to the end houses and the water drops into the back garden. The torrential rain today destroyed their back garden. If this developer doesn't do the soil enhancement

correctly, he will lose an entire plot while he is building in the back garden. He doesn't understand how someone can go to court and get the town's decision overturned.

Michelle Ottomanelli, 41 Deal Street, Harrington Park, NJ, was sworn in. She questioned why the town didn't notify residents that the applicant appealed the Board's decision and why they were not called as witnesses. She believes that the Sykes family does not have the town's best interest. The neighbors on the street are enraged. This is setting a terrible precedent for other families that own pieces of land in town. She believes the Sykes family are greedy. She questioned the judges status and decision to overturn the Board's decision without knowing the town or the people. She has concerns that they are not maintaining the area around the fire hydrant. She has contacted Ann Bistriz that there is a shrub growing around the fire hydrant and branches above it. She said that she takes care of the snow around the fire hydrant, but cannot cut the shrubs around it. The tenant's landscapers do not maintain the shrubs around the fire hydrant. She can't get in or out of the street. She stated that there should be one house on the property just like her house has one house on the property. With the house currently under construction, it was an emergency hazard during the winter. No ambulance would be able to get there with the construction vehicles and snow. She requested there be a stipulation that there be a police presence on the street during construction. She is concerned about kids on the street. She stated that it is not safe and is disappointed in the town.

Laura Berg, 22 Deal Street, Harrington Park, NJ. She has been on the street for 25 years. This past year was a nightmare with the construction on the street. They could not get out of the driveway with the construction vehicles. The house next door had a tree fall on it and also had vehicles and dumpsters. With the big snow storm, the street was not plowed this winter. If it is going to happen this winter, something has to be put in place. It is a tiny street. It is disappointing how this went about and seems backhanded. The charm about this town is that it has a small town feel. There is building going on and it's not great to have it on this block.

Charles Nadra, 45 Deal Street, Harrington Park, NJ, was sworn in. He agrees with the others and believes that it is a disgrace. There are three storm drains on Deal St. that handle the water run off. The builder will change the topography and other things of the street and will create additional runoff. The drains are almost overwhelmed when they get heavy downpours and almost could not manage with the downpour today. The Sykes do not have to deal with the repercussions of the changes, the neighbors will have to deal with the consequences. The drainage is the biggest problem. The street is narrow and cannot handle heavy construction equipment or vehicles. He believes that the 3 drains cannot handle the water run off on the street with changes. The lot is not large enough and they will put a huge house on it. He is totally disgusted and said that the only people who counted in this situation are the Sykes and the lawyer.

Jennifer Greene, 61 Deal Street, Harrington Park, NJ, was sworn in. Her concern is access in and out of Deal Street because she lives with her elderly parents. She has experienced construction on the street and a new house will be a bigger construction project. Her comment is keeping control over the amount of vehicles on the street during construction on the site.

JC noted that everyone had an opportunity to comment.

Motion: RM                      Second: PA  
In favor, all said "aye". None opposed.  
Meeting closed to the public.

JK reviewed the resolution with an overview of the conditions. With regards to this application for Minor Subdivision with variance relief to subdivide the existing 22,392.77 square foot tract of land into two (2) separate lots ("Proposed Lot 22.01") and "Proposed Lot 22.02"), as directed per Court Order and as shown on the Minor Subdivision prepared by Piazza Engineering dated April 23, 2019 and last revised on August 28, 2019, will be subject to the following conditions:

1. The Applicant must comply with all requirements specified in the Memoranda of the Borough Engineer and the Board Planner.
2. Applicant will prepare and submit a tree removal, preservation, and planting plan as required by Borough code.
3. This Application is subject to advisory review by the Borough of Harrington Park Environmental Commission for any tree removal and/or landscaping proposed.
4. Applicant will comply with the Borough Soil Movement ordinance and if required, submit an application for soil movement and shall obtain all required permits.
5. Prior to any building permits being issued, the Applicant agrees to submit a final engineering site plan with grading and drainage design and calculations as well as soil moving calculations in addition to the requirements of the Harrington Park Building Department.
6. Prior to the installation of proposed seepage pits, the applicant shall have soil testing and percolation testing or sampling for a grain size analysis performed at the proposed seepage chamber locations(s) and a copy of the soil report prepared and submitted to the Board Engineer for review and approval.
7. Applicant agrees and stipulates that any home built on Lot 22.02 would fully comply with the Borough Zoning Ordinance and that any expansion or replacement of the home on Lot 22.01 would also fully comply and that no variances would be sought in connection with the future development of either lot.
8. Applicant agrees to utilize the Property in accordance with the testimony and stipulations provided at the public hearing. If any changes are proposed, all appropriate approvals shall be filed for and obtained.
9. Applicant shall comply with applicable law pertaining to affordable housing.
10. The Applicant shall obtain all other necessary governmental approvals and permits.
11. The Board reserves the right to require further review of this Application in the event that another governmental entity requires "substantial modifications or revisions" to the plan as approved.
12. The Applicant shall post any and all necessary escrows and fees required in connection with this Application, approval, subsequent inspections and any other work encompassed by way of the approval.
13. The Applicant, its successors, or assignees agree to be bound by all stipulations placed on the record which are hereby incorporated into this Resolution and further agrees to comply with all conditions detailed in the body of this Resolution.
14. If any of the statements made by the Applicant are fraudulent or are misrepresentative of the truth, this approval shall be null and void.

15. Notice of this decision shall be published by the Borough of Harrington Park in the official newspaper of the Borough of Harrington Park.

PA verified that the members are required to vote for the resolution based on the court ruling even though they voted against it previously. JK said he is correct. As per court order.

The board had no additional questions.

<b>Vote to approve the resolution for the Minor Subdivision at 41 Peat St.</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chairman John CAPAZZI			X			
Vice-Chair Peter ARDITO			X			
Mayor Paul HOELSCHER						X
Councilman Allan NAPOLITANO						X
Secretary Richard McLAUGHLIN	X		X			
Member Jesse BARRAGATO						X
Member Robert WALDRON		X	X			
Alt. (a) Steven BEUBIS			X			

### **OLD BUSINESS**

A letter of correspondence was written to the Mayor and Council regarding the Cannabis Ordinance from the Planning Board.

### **NEW BUSINESS**

No new business.

### **MEETING OPEN TO THE PUBLIC**

No comments from the public.

### **ADJOURN**

Motion: RM                      Second: PA  
In favor, all said "aye". None opposed.  
Meeting adjourned at 8:38pm.

NEXT SCHEDULED PLANNING BOARD  
REGULAR MEETING  
**Tuesday, July 13, 2021 at 8pm**